REMARKS

Amendments to the Specification

The present specification was amended to SEQ ID NOs in order to comply with 37 C.F.R. §§ 1.821-1.825. The Applicants hereby state that the amendments to the specification did not add new subject matter to the specification.

Amendments to the Claims

Claims 1-44 are pending. The Applicants respectfully ask the Examiner to replace all prior versions and listings of claims in the present application with the listing of claims currently provided. Claims 1-3 were amended; Claims 4-44 were canceled; and Claims 45-52 are new. The Applicants hereby state that the amendments to the claims do not add new subject matter to the specification.

Support for Claims 1-3 can be found throughout the present specification, such as, *e.g.*, ¶ 27; ¶ 38; ¶ 53; ¶ 109; ¶ 125; ¶ 141; ¶ 275; ¶ 277; ¶¶ 284-285; ¶ 288; ¶¶ 291-298; and Example 11.

Support for Claims 45-50 can be found throughout the present specification, such as, *e.g.*, ¶ 27; ¶ 33; ¶ 39; ¶ 53, ¶ 109; ¶ 125; ¶ 288; and Examples 4, 6 and 11.

Support for Claims 51 and 52 can be found throughout the present specification, such as, *e.g.*, ¶ 27; ¶ 33; ¶ 40; ¶ 53; ¶ 109; ¶¶ 111-118; ¶ 125; ¶ 140; ¶ 288; and Examples 4, 6 and 11.

Notice to Comply Pursuant to 37 C.F.R. §§ 1.821-1.825

The Examiner has objected to the Sequence Listing under 37 C.F.R. §§ 1.821-1.825, because each sequence disclosed did not allegedly appear in the Sequence Listing and in the text of the description and claims whenever described.

The Applicant has submitted an amended copy of the computer readable form (CRF) of the Sequence Listing and the written Sequence Listing. The Sequence Listing information recorded in CRF is identical to the written Sequence Listing. The Sequence Listing provided does not contain any new matter as required by 37 C.F.R. §§ 1.821(e), 1.821(f), 1.821(g) and 1.825 (b).

Restriction Requirement under 35 U.S.C. §121

The Examiner has restricted the present application under 35 U.S.C. §121 as allegedly disclosing 9 independent and distinct inventions designated Group I (modified Botulinum neurotoxin type A), Group II (modified Botulinum neurotoxin type B), Group III (modified Botulinum neurotoxin type C1), Group IV (modified Botulinum neurotoxin type C2), Group V (modified Botulinum neurotoxin type D), Group VI (modified Botulinum neurotoxin type E), Group VII (modified Botulinum neurotoxin type F), Group VIII (modified Botulinum neurotoxin type G), Group IX (decreased persistence of Botulinum neurotoxin type A), Group X (decreased persistence of Botulinum neurotoxin type B), Group XI (decreased persistence of Botulinum neurotoxin type C1), Group XII (decreased persistence of Botulinum neurotoxin type C2), Group XIII (decreased persistence of Botulinum neurotoxin type D), Group XIV (decreased persistence of Botulinum neurotoxin type E), Group XV (decreased persistence of Botulinum neurotoxin type F), and Group XVI (decreased persistence of Botulinum neurotoxin type G). The Applicants elect to prosecute Examiner's Group I (modified Botulinum neurotoxin type A).

CONCLUSION

For the above reasons the Applicants respectfully submit that the claims are in condition for allowance, and the Applicants respectfully urge the Examiner to issue a Notice to that effect. Should the Examiner have any questions, he is invited to call the undersigned agent. Please use Deposit Account 01-0885 for the payment of any extension of time fees under 37 C.F.R. § 1.136 or any other fees due in connection with the current response.

Respectfully submitted,

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